

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY JOSEPH JACKSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

CASE NO. 2:15-cv-11161

HON. MARIANNE O. BATTANI

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION;
GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT (Doc. 10); GRANTING IN PART AND DENYING IN PART
DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Doc. 12); AND
REMANDING TO THE COMMISSIONER FOR FURTHER CONSIDERATION**

Plaintiff Anthony Joseph Jackson has brought this action challenging the Commissioner of Social Security's final decision denying his application for Disability Insurance Benefits and Supplemental Security Income under the Social Security Act. The case was referred to Magistrate Judge Anthony P. Patti pursuant to 28 U.S.C. § 636(b)(1). Both parties filed dispositive motions, and in a Report and Recommendation ("R&R") dated February 11, 2016, Magistrate Judge Patti recommended that Plaintiff's Motion for Summary Judgment be granted in part and denied in part and that the Commissioner's Motion for Summary Judgment also be granted in part and denied in part. (Doc. 16).

In the R&R, the Magistrate Judge informed the parties that objections to the R&R needed to be filed within fourteen days of service and that a party's failure to file objections would waive any further right of appeal. (*Id.*, p. 33). Neither party filed

objections. Because no objections have been filed in this case, the parties waived their right to *de novo* review and appeal. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation (Doc. 16), **GRANTS IN PART AND DENIES IN PART** Plaintiff's Motion for Summary Judgment (Doc. 10), and **GRANTS IN PART AND DENIES IN PART** the Commissioner's Motion for Summary Judgment (Doc. 12). The Court therefore **AFFIRMS IN PART** the Commissioner's decision and **REMANDS** Plaintiff's claim to the Commissioner for further consideration consistent with the R&R.

IT IS SO ORDERED.

Date: March 31, 2016

s/Marianne O. Battani
MARIANNE O. BATTANI
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on March 31, 2016.

s/ Kay Doaks
Case Manager